

GHAJAR EXHIBIT 11

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

Individual and Representative Plaintiffs,

v.

Meta Platforms, Inc.,

Defendant.

Lead Case No. 3:23-cv-03417-VC
Case No. 4:23-cv-06663

**PLAINTIFF TA-NEHISI COATES'S
AMENDED RESPONSES TO DEFENDANT
META PLATFORMS, INC.'S SECOND SET
OF REQUESTS FOR ADMISSION**

1 **PROPOUNDING PARTIES:** **Defendant Meta Platforms, Inc.**
 2 **RESPONDING PARTIES:** **Plaintiff Ta-Nehisi Coates**
 3 **SET NUMBER:** **Two (2)**

4
 5 Plaintiff Ta-Nehisi Coates (“Plaintiff”) hereby amends his responses to Defendant Meta
 6 Platforms, Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests” or
 7 “RFAs”).

8 **GENERAL OBJECTIONS**

9 1. Plaintiff generally objects to Defendant’s definitions and instructions to the extent they
 10 purport to require Plaintiff to respond in any way beyond what is required by the Federal and local
 11 rules.

12 2. Plaintiff objects to the Requests to the extent they seek information or materials that are
 13 protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure
 14 rules, or other applicable privileges and protections, including communications with Plaintiff’s
 15 attorneys regarding the Action.

16 3. Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or
 17 supplement these responses with subsequently discovered responsive information and to introduce and
 18 rely upon any such subsequently discovered information in this litigation.

19 **AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS**

20 **REQUEST FOR ADMISSION NO. 8:**

21 Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as training
 22 data for artificial intelligence.

23 **AMENDED RESPONSE TO REQUEST NO. 8:**

24 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
 25 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
 26 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
 27 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will

1 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
 2 duplicative in whole or in part of RFAs 9-11 and 13-14. Subject to and without waiving the foregoing
 3 objections, Plaintiff responds as follows: admit.

4 **REQUEST FOR ADMISSION NO. 9:**

5 Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been
 6 licensed for use as training data for artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 9:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
 9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
 10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
 11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
 12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
 13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
 14 duplicative in whole or in part of RFAs 8, 10-11 and 13-14. Plaintiff further objects to this Request as
 15 irrelevant to any disputed issue in the case. Subject to and without waiving the foregoing objections,
 16 see response to RFA 8. Plaintiff responds as follows: admit.

17 **REQUEST FOR ADMISSION NO. 10:**

18 Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as
 19 training data for artificial intelligence.

20 **AMENDED RESPONSE TO REQUEST NO. 10:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
 22 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
 23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
 24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
 25 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
 26 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
 27

1 duplicative in whole or in part of RFAs 8-9, 11, and 13-14. Subject to and without waiving the
2 foregoing objections, Plaintiff responds as follows: admit.

3 **REQUEST FOR ADMISSION NO. 11:**

4 Admit that YOU are unaware of consent ever having been given (either by YOU or somebody
5 so authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for
6 artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 11:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
14 duplicative in whole or in part of RFAs 8-10 and 13-14. Subject to and without waiving the foregoing
15 objections, Plaintiff responds as follows: admit.

16 **REQUEST FOR ADMISSION NO. 12:**

17 Admit that, other than YOUR contention that LLM developers such as Meta should have
18 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models (see,
19 e.g., [March 7, 2024 denial of RFA No. 1), YOU are unaware of any lost sales due to the infringement
20 alleged in the COMPLAINT.

21 **AMENDED RESPONSE TO REQUEST NO. 12:**

22 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
23 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
24 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
25 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
26 objects to the term “lost sales” as vague and ambiguous. Plaintiff further objects to this Request
27 because it is hypothetical and not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*,
2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the

AMENDED RESPONSE TO REQUEST NO. 16:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff further objects to the term “book sales” as vague and ambiguous. Plaintiff also objects to this Request because it is hypothetical and is not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit “hypothetical” questions within requests for admission.”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at *3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to this Request as it prematurely seeks expert testimony. Subject to and without waiving the foregoing objections, Plaintiff responds that after a reasonable inquiry, the information known or that can be readily obtained by him is insufficient to enable him to admit or deny.

REQUEST FOR ADMISSION NO. 31:

Admit that YOU have never offered to license or sell any of YOUR ASSERTED WORKS for use in the training of an artificial intelligence large language model.

AMENDED RESPONSE TO REQUEST NO. 31:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff further objects to this Request as duplicative in whole or in part of RFAs 8-11. Subject to and without waiving the foregoing objections, Plaintiff responds as follows: admit.

1 Dated: September 6, 2024

By: /s/ Bryan L. Clobes
Bryan L. Clobes

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27 *and the Proposed Class*

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Plaintiffs and the Proposed Class*

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

Individual and Representative Plaintiffs,

v.

Meta Platforms, Inc.,

Defendant.

Lead Case No. 3:23-cv-03417-VC
Case No. 4:23-cv-06663

**PLAINTIFF JUNOT DIAZ'S AMENDED
RESPONSES TO DEFENDANT META
PLATFORMS, INC.'S SECOND SET OF
REQUESTS FOR ADMISSION**

1 **PROPOUNDING PARTIES:** **Defendant Meta Platforms, Inc.**
 2 **RESPONDING PARTIES:** **Plaintiff Junot Diaz**
 3 **SET NUMBER:** **Two (2)**

4
 5 Plaintiff Junot Diaz (“Plaintiff”) hereby amends his responses to Defendant Meta Platforms,
 6 Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests” or “RFAs”).

7 **GENERAL OBJECTIONS**

8 1. Plaintiff generally objects to Defendant’s definitions and instructions to the extent they
 9 purport to require Plaintiff to respond in any way beyond what is required by the Federal and local
 10 rules.

11 2. Plaintiff objects to the Requests to the extent they seek information or materials that are
 12 protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure
 13 rules, or other applicable privileges and protections, including communications with Plaintiff’s
 14 attorneys regarding the Action.

15 3. Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or
 16 supplement these responses with subsequently discovered responsive information and to introduce and
 17 rely upon any such subsequently discovered information in this litigation.

18 **AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS**

19 **REQUEST FOR ADMISSION NO. 8:**

20 Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as training
 21 data for artificial intelligence.

22 **AMENDED RESPONSE TO REQUEST NO. 8:**

23 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
 24 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
 25 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
 26 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
 27 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as

1 duplicative in whole or in part of RFAs 9-11 and 13-14. Subject to and without waiving the foregoing
2 objections, Plaintiff responds as follows: admit.

3 **REQUEST FOR ADMISSION NO. 9:**

4 Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been
5 licensed for use as training data for artificial intelligence.

6 **AMENDED RESPONSE TO REQUEST NO. 9:**

7 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
8 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
9 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
10 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
11 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
12 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
13 duplicative in whole or in part of RFAs 8, 10-11 and 13-14. Plaintiff further objects to this Request as
14 irrelevant to any disputed issue in the case. Subject to and without waiving the foregoing objections,
15 see response to RFA 8. Plaintiff responds as follows: admit.

16 **REQUEST FOR ADMISSION NO. 10:**

17 Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as
18 training data for artificial intelligence.

19 **AMENDED RESPONSE TO REQUEST NO. 10:**

20 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
21 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
22 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
23 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
24 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
25 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
26
27

1 duplicative in whole or in part of RFAs 8-9, 11, and 13-14. Subject to and without waiving the
 2 foregoing objections, Plaintiff responds as follows: admit.

3 **REQUEST FOR ADMISSION NO. 11:**

4 Admit that YOU are unaware of consent ever having been given (either by YOU or somebody
 5 so authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for
 6 artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 11:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
 9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
 10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
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 12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
 13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
 14 duplicative in whole or in part of RFAs 8-10 and 13-14. Subject to and without waiving the foregoing
 15 objections, Plaintiff responds as follows: admit.

16 **REQUEST FOR ADMISSION NO. 12:**

17 Admit that, other than YOUR contention that LLM developers such as Meta should have
 18 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models (see,
 19 e.g., [March 7, 2024 denial of RFA No. 1), YOU are unaware of any lost sales due to the infringement
 20 alleged in the COMPLAINT.

21 **AMENDED RESPONSE TO REQUEST NO. 12:**

22 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
 23 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
 24 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
 25 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
 26 objects to the term “lost sales” as vague and ambiguous. Plaintiff further objects to this Request
 27 because it is hypothetical and not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*,
 2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the

AMENDED RESPONSE TO REQUEST NO. 16:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff further objects to the term “book sales” as vague and ambiguous. Plaintiff also objects to this Request because it is hypothetical and is not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit “hypothetical” questions within requests for admission.”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at *3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to this Request as it prematurely seeks expert testimony. Subject to and without waiving the foregoing objections, Plaintiff responds that after a reasonable inquiry, the information known or that can be readily obtained by him is insufficient to enable him to admit or deny.

REQUEST FOR ADMISSION NO. 31:

Admit that YOU have never offered to license or sell any of YOUR ASSERTED WORKS for use in the training of an artificial intelligence large language model.

AMENDED RESPONSE TO REQUEST NO. 31:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff further objects to this Request as duplicative in whole or in part of RFAs 8-11. Subject to and without waiving the foregoing objections, Plaintiff responds as follows: admit.

1 Dated: September 6, 2024

By: /s/ Bryan L. Clobes
Bryan L. Clobes

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Representative Plaintiffs and the Proposed Class

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RICHARD KADREY, *et al.*,

Individual and Representative
Plaintiffs,

Case No. 3:23-cv-03417-VC

PLAINTIFF CHRISTOPHER
FARNSWORTH'S RESPONSES TO
DEFENDANT'S FIRST SET OF REQUESTS
FOR ADMISSIONS

PLAINTIFF CHRISTOPHER FARNSWORTH'S
RESPONSES TO RFA'S, SET 1
No. 3:23-CV-03417-VC

v.

META PLATFORMS, INC, a Delaware
corporation,

Defendant.

PROPOUNDING PARTY: DEFENDANT META PLATFORMS, INC.

RESPONDING PARTY: PLAINTIFF CHRISTOPHER FARNSWORTH

SET NO.: ONE

INTRODUCTION

Plaintiff Christopher Farnsworth (“Plaintiff”) hereby serves his responses and objections to Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) First Set of Requests for Admissions (the “Requests” or “RFAs”).

GENERAL OBJECTIONS

1. Plaintiff generally objects to Defendant’s definitions and instructions to the extent they purport to require Plaintiff to respond in any way beyond what is required by the Federal and local rules.

2. Plaintiff objects to the Requests to the extent they seek information or materials that are protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure rules, or other applicable privileges and protections, including communications with Plaintiff’s attorneys regarding the Action.

3. Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or supplement these responses with subsequently discovered responsive information and to introduce and rely upon any such subsequently discovered information in this litigation.

1 Subject to and without waiving these general and specific objections, Plaintiff denies in
 2 part and admits in part. Plaintiff denies that he has not been offered compensation from a Third
 3 Party to use Plaintiff's Asserted Works. Plaintiff admits that he has not been offered
 4 compensation from a Third Party to use Plaintiff's Asserted Works to train an artificial
 5 intelligence model.

6 **REQUEST FOR ADMISSION NO. 6:**

7 Admit that YOU are unaware of any COMMUNICATIONS preceding the initiation of the
 8 ACTION in which a THIRD PARTY offered YOU compensation to use YOUR ASSERTED
 9 WORKS to train an artificial intelligence model.

10 **RESPONSE TO REQUEST FOR ADMISSION NO. 6:**

11 Plaintiff objects to the definition of You as it relates to this Request as it calls for a legal
 12 conclusion. Plaintiff objects that the terms "compensation" and "artificial intelligence model" are
 13 vague and ambiguous. Plaintiff further objects to this Request as an improper subject of a Request
 14 for Admission.

15 Subject to and without waiving these general and specific objections, Plaintiff admits
 16 Request No. 6.

17 **REQUEST FOR ADMISSION NO. 7:**

18 Admit that other PERSONS (*i.e.* THIRD PARTIES) wrote portions of YOUR
 19 ASSERTED WORKS.

20 **RESPONSE TO REQUEST FOR ADMISSION NO. 7:**

21 Plaintiff objects that the term "wrote portions of" is vague and unintelligible. Plaintiff
 22 objects to the term "wrote portions of" to the extent it implies a legal conclusion.

23 Subject to and without waiving these general and specific objections, will not respond to
 24 this Request, as it is unintelligible. If a response is deemed required, Plaintiff denies the Request
 25 on this same basis.

26 **REQUEST FOR ADMISSION NO. 8:**

27 Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as
 28 training data for artificial intelligence.

RESPONSE TO REQUEST FOR ADMISSION NO. 8:

Plaintiff objects that the term “artificial intelligence” is vague and ambiguous. Plaintiff further objects to this Request to the extent that it is duplicative in whole or in part of Requests for Admission Nos. 9–11 and 13–14.

Subject to and without waiving these general and specific objections, Plaintiff admits that neither Meta nor any other entity gathering training data for generative artificial intelligence has requested to license any of Plaintiff’s Asserted Works, and so further responding, admits Request No. 8.

REQUEST FOR ADMISSION NO. 9:

Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been licensed for use as training data for artificial intelligence.

RESPONSE TO REQUEST FOR ADMISSION NO. 9:

Plaintiff objects that the term “artificial intelligence” is vague and ambiguous. Plaintiff further objects to this Request to the extent that it is duplicative in whole or in part of Requests for Admissions Nos. 8, 10–11, and 13–14. Plaintiff further objects to this Request as an improper subject of a Request for Admission.

Subject to and without waiving these general and specific objections, Plaintiff admits Request No. 9.

REQUEST FOR ADMISSION NO. 10:

Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as training data for artificial intelligence.

RESPONSE TO REQUEST FOR ADMISSION NO. 10:

Plaintiff objects that the term “artificial intelligence” is vague and ambiguous and will construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request to the extent that it is duplicative in whole or in part of Requests for Admission Nos. 8–9, 11, and 13–14.

Subject to and without waiving these general and specific objections, Plaintiff admits that neither Meta nor any other entity gathering training data for generative artificial intelligence has

sought Plaintiff's permission to use any of Plaintiff's Asserted Works as training data for generative artificial intelligence, and so further responding, Plaintiff admits Request No. 10.

REQUEST FOR ADMISSION NO. 11:

Admit that YOU are unaware of consent ever having been given (either by YOU or somebody so authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for artificial intelligence.

RESPONSE TO REQUEST FOR ADMISSION NO. 11:

Plaintiff objects that the term "artificial intelligence" is vague and ambiguous and will construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request to the extent that it is duplicative in whole or in part of Requests for Admissions Nos. 8–10 and 13–14. Plaintiff further objects to this Request as an improper subject of a Request for Admission.

Subject to and without waiving these general and specific objections, Plaintiff admits Request No. 11.

REQUEST FOR ADMISSION NO. 12:

To the extent YOU denied Request for Admission No. 1 because YOU contend that LLM developers such as Meta should have compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models, admit that YOU are unaware of any lost sales due to the infringement alleged in the COMPLAINT.

RESPONSE TO REQUEST FOR ADMISSION NO. 12:

Plaintiff objects that the term "lost sales" is vague and ambiguous. Plaintiff also objects to this Request to the extent that it is an incomplete hypothetical not tied to the facts of the case. *See, e.g., Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) ("Since requests to admit 'must be connected to the facts of the case, courts do not permit "hypothetical" questions within requests for admission."); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at *3 (D. Del. Nov. 17, 1997) (denying request "asking Plaintiff to admit to infringement in the context of the hypothetical use of its device"); Fed. R. Civ. P. 36 advisory committee's note to 1946 amendment. Plaintiff further objects to this Request as duplicative in whole or in part of

RESPONSE TO REQUEST FOR ADMISSION NO. 32

Plaintiff objects to the terms “contributed” and “literary content” are vague and unintelligible.

Subject to and without waiving these general and specific objections, will not respond to this Request, as it is unintelligible. If a response is deemed required, Plaintiff denies the Request on this same basis.

REQUEST FOR ADMISSION NO. 33:

Admit that YOU have never offered to license or sell any of YOUR ASSERTED WORKS for use in the training of an artificial intelligence large language model.

RESPONSE TO REQUEST FOR ADMISSION NO. 32:

Plaintiff objects that the term “artificial intelligence” is vague and ambiguous. Plaintiff further objects to this Request as duplicative in whole or in part of Requests Nos. 8–11.

Subject to and without waiving these general and specific objections, Plaintiff admits that neither Meta nor any other entity gathering training data for generative artificial intelligence has asked to license or purchase any of Plaintiff’s Asserted Works, and so, further responding, Plaintiff admits Request for Production No. 33.

REQUEST FOR ADMISSION NO. 34:

Admit that YOUR publisher has the ability, on your behalf, to license YOUR ASSERTED WORKS to THIRD PARTIES.

RESPONSE TO REQUEST FOR ADMISSION NO. 33:

Plaintiff objects to this Request to the extent that Defendant has access to Plaintiff’s publishing agreements and can review the publishing agreements for any such terms giving a publisher the ability to licensing Asserted Works to Third Parties.

Subject to and without waiving these general and specific objections, Plaintiff thus directs Defendant to the already produced publishing agreements. If a response is deemed required, Plaintiff denies the Request on this same basis.

REQUEST FOR ADMISSION NO. 35:

Admit that for a fee, YOU are willing to allow a THIRD PARTY to use YOUR

REQUEST FOR ADMISSION NO. 81:

Admit that you are not aware of any agreements to assign rights in or to YOUR ASSERTED WORK(S) that have not already been produced in this ACTION.

RESPONSE TO REQUEST FOR ADMISSION NO. 80:

Plaintiff objects that the terms “any agreements” and “assign rights in or to” are vague and ambiguous. Plaintiff further objects to this Request as compound and ambiguous, because it includes the disjunctive phrase, “in or to.” “[R]equests for admissions should not contain ‘compound, conjunctive, or disjunctive ... statements.’” *James v. Maguire Corr. Facility*, No. C 10-1795 SI PR, 2012 WL 3939343, at *4 (N.D. Cal. Sept. 10, 2012) (*quoting U.S. ex rel. England v. Los Angeles County*, 235 F.R.D. 675, 684 (E.D. Cal. 2006)); *see also King v. Biter*, No. 115CV00414LJOSABPC, 2018 WL 339052, at *6 (E.D. Cal. Jan. 9, 2018).

Subject to and without waiving these general and specific objections, Plaintiff admits discovery is ongoing. Plaintiff further admits that Plaintiff has produced non-privileged documents in Plaintiff’s possession, custody, or control, responsive to Meta’s requests for production regarding licensing agreements for Plaintiff’s Asserted Works. Plaintiff otherwise denies this Request.

Dated: November 18, 2024

Respectfully submitted,

LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

By: /s/ Rachel Geman

Rachel Geman

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Plaintiffs and the Proposed Class*

[Additional counsel on signature page]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

Individual and Representative Plaintiffs,

v.

Meta Platforms, Inc.,

Defendant.

Lead Case No. 3:23-cv-03417-VC
Case No. 4:23-cv-06663

**PLAINTIFF CHRISTOPHER GOLDEN'S
AMENDED RESPONSES TO
DEFENDANT META PLATFORMS,
INC.'S SECOND SET OF REQUESTS FOR
ADMISSION**

PROPOUNDING PARTIES: Defendant Meta Platforms, Inc.

RESPONDING PARTIES: Plaintiff Christopher Golden

SET NUMBER: Two (2)

Plaintiff Christopher Golden (“Plaintiff”) hereby amends his responses to Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests” or “RFAs”).

GENERAL OBJECTIONS

1. Plaintiff generally objects to Defendant’s definitions and instructions to the extent they purport to require Plaintiff to respond in any way beyond what is required by the Federal and local rules.

2. Plaintiff objects to the Requests to the extent they seek information or materials that are protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure rules, or other applicable privileges and protections, including communications with Plaintiff’s attorneys regarding the Action.

Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or supplement these responses with subsequently discovered responsive information and to introduce and rely upon any such subsequently discovered information in this litigation.

AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS

REQUEST FOR ADMISSION NO. 8:

Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as training data for artificial intelligence.

AMENDED RESPONSE TO REQUEST NO. 8:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will

1 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
2 duplicative in whole or in part of RFAs 9-11 and 13-14. Subject to and without waiving the foregoing
3 objections, Plaintiff responds, admit.

4 **REQUEST FOR ADMISSION NO. 9:**

5 Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been
6 licensed for use as training data for artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 9:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
14 duplicative in whole or in part of RFAs 8, 10-11 and 13-14. Plaintiff further objects to this Request as
15 irrelevant to any disputed issue in the case. Subject to and without waiving the foregoing objections, see
16 response to RFA 8. Plaintiff responds, admit.

17 **REQUEST FOR ADMISSION NO. 10:**

18 Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as training
19 data for artificial intelligence.

20 **AMENDED RESPONSE TO REQUEST NO. 10:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
22 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
25 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
26 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
27

1 duplicative in whole or in part of RFAs 8-9, 11, and 13-14. Subject to and without waiving the foregoing
2 objections, **Plaintiff responds, admit.**

3 **REQUEST FOR ADMISSION NO. 11:**

4 Admit that YOU are unaware of consent ever having been given (either by YOU or somebody so
5 authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for artificial
6 intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 11:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
14 duplicative in whole or in part of RFAs 8-10 and 13-14. Subject to and without waiving the foregoing
15 objections, Plaintiff responds, admit.

16 **REQUEST FOR ADMISSION NO. 12:**

17 Admit that, other than YOUR contention that LLM developers such as Meta should have
18 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models (see,
19 e.g., [March 7, 2024 denial of RFA No. 1), YOU are unaware of any lost sales due to the infringement
20 alleged in the COMPLAINT.

21 **AMENDED RESPONSE TO REQUEST NO. 12:**

22 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
23 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
24 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
25 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
26 objects to the term “lost sales” as rendering this Request vague and ambiguous. Plaintiff further objects
27 to this Request because it is hypothetical and not tied to the facts of the case. See, e.g., *Buchanan v. Chi.*

bookstore, on-line bookseller, or any other type of book wholesaler or retailer) have not decreased due to the alleged use of YOUR ASSERTED WORKS to train large language models.

AMENDED RESPONSE TO REQUEST NO. 16:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff further objects to the term “book sales” as rendering this request vague and ambiguous. Plaintiff also objects to this Request because it is hypothetical and is not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit “hypothetical” questions within requests for admission.’”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at *3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to this Request as it calls for expert testimony. Subject to and without waiving the foregoing objections, Plaintiff responds that after a reasonable inquiry, the information known or that can be readily obtained by him is insufficient to enable him to admit or deny.

REQUEST FOR ADMISSION NO. 31:

Admit that YOU have never offered to license or sell any of YOUR ASSERTED WORKS for use in the training of an artificial intelligence large language model.

AMENDED RESPONSE TO REQUEST NO. 31:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff further objects to this Request as duplicative in whole or in part of RFAs 8-11. Subject to and without waiving the foregoing objections, Plaintiff responds, admit.

1 Dated: August 28, 2024

By: /s/ Joseph R. Saveri
Joseph R. Saveri

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

Individual and Representative Plaintiffs,

v.

Meta Platforms, Inc.,

Defendant.

Lead Case No. 3:23-cv-03417-VC
Case No. 4:23-cv-06663

**PLAINTIFF ANDREW SEAN GREER'S
AMENDED RESPONSES TO DEFENDANT
META PLATFORMS, INC.'S SECOND SET
OF REQUESTS FOR ADMISSION**

1 **PROPOUNDING PARTIES:** **Defendant Meta Platforms, Inc.**
 2 **RESPONDING PARTIES:** **Plaintiff Andrew Sean Greer**
 3 **SET NUMBER:** **Two (2)**

4
 5 Plaintiff Andrew Sean Greer (“Plaintiff”) hereby amends his responses to Defendant Meta
 6 Platforms, Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests” or
 7 “RFAs”).

8 **GENERAL OBJECTIONS**

9 1. Plaintiff generally objects to Defendant’s definitions and instructions to the extent they
 10 purport to require Plaintiff to respond in any way beyond what is required by the Federal and local
 11 rules.

12 2. Plaintiff objects to the Requests to the extent they seek information or materials that are
 13 protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure
 14 rules, or other applicable privileges and protections, including communications with Plaintiff’s
 15 attorneys regarding the Action.

16 3. Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or
 17 supplement these responses with subsequently discovered responsive information and to introduce and
 18 rely upon any such subsequently discovered information in this litigation.

19 **AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS**

20 **REQUEST FOR ADMISSION NO. 8:**

21 Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as training
 22 data for artificial intelligence.

23 **AMENDED RESPONSE TO REQUEST NO. 8:**

24 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
 25 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
 26 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
 27 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will

1 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
2 duplicative in whole or in part of RFAs 9-11 and 13-14. Subject to and without waiving the foregoing
3 objections, Plaintiff responds as follows: admit.

4 **REQUEST FOR ADMISSION NO. 9:**

5 Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been
6 licensed for use as training data for artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 9:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
14 duplicative in whole or in part of RFAs 8, 10-11 and 13-14. Plaintiff further objects to this Request as
15 irrelevant to any disputed issue in the case. Subject to and without waiving the foregoing objections,
16 see response to RFA 8. Plaintiff responds as follows: admit.

17 **REQUEST FOR ADMISSION NO. 10:**

18 Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as
19 training data for artificial intelligence.

20 **AMENDED RESPONSE TO REQUEST NO. 10:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
22 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
25 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
26 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
27

1 duplicative in whole or in part of RFAs 8-9, 11, and 13-14. Subject to and without waiving the
2 foregoing objections, Plaintiff responds as follows: admit.

3 **REQUEST FOR ADMISSION NO. 11:**

4 Admit that YOU are unaware of consent ever having been given (either by YOU or somebody
5 so authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for
6 artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 11:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
14 duplicative in whole or in part of RFAs 8-10 and 13-14. Subject to and without waiving the foregoing
15 objections, Plaintiff responds as follows: admit.

16 **REQUEST FOR ADMISSION NO. 12:**

17 Admit that, other than YOUR contention that LLM developers such as Meta should have
18 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models (see,
19 e.g., [March 7, 2024 denial of RFA No. 1), YOU are unaware of any lost sales due to the infringement
20 alleged in the COMPLAINT.

21 **AMENDED RESPONSE TO REQUEST NO. 12:**

22 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
23 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
24 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
25 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
26 objects to the term “lost sales” as vague and ambiguous. Plaintiff further objects to this Request
27 because it is hypothetical and not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*,
2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the

AMENDED RESPONSE TO REQUEST NO. 16:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff further objects to the term “book sales” as vague and ambiguous. Plaintiff also objects to this Request because it is hypothetical and is not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit “hypothetical” questions within requests for admission.”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at *3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to this Request as it prematurely seeks expert testimony. Subject to and without waiving the foregoing objections, Plaintiff responds that after a reasonable inquiry, the information known or that can be readily obtained by him is insufficient to enable him to admit or deny.

REQUEST FOR ADMISSION NO. 31:

Admit that YOU have never offered to license or sell any of YOUR ASSERTED WORKS for use in the training of an artificial intelligence large language model.

AMENDED RESPONSE TO REQUEST NO. 31:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff further objects to this Request as duplicative in whole or in part of RFAs 8-11. Subject to and without waiving the foregoing objections, Plaintiff responds as follows: admit.

1 Dated: September 6, 2024

By: /s/ Bryan L. Clobes
Bryan L. Clobes

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3 Joseph R. Saveri (State Bar No. 130064)
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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

Individual and Representative Plaintiffs,

v.

Meta Platforms, Inc.,

Defendant.

Lead Case No. 3:23-cv-03417-VC
Case No. 4:23-cv-06663

**PLAINTIFF DAVID HENRY HWANG'S
AMENDED RESPONSES TO DEFENDANT
META PLATFORMS, INC.'S SECOND SET
OF REQUESTS FOR ADMISSION**

PROPOUNDING PARTIES: Defendant Meta Platforms, Inc.
RESPONDING PARTIES: Plaintiff David Henry Hwang
SET NUMBER: Two (2)

Plaintiff David Henry Hwang (“Plaintiff”) hereby amends his responses to Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests” or “RFAs”).

GENERAL OBJECTIONS

1. Plaintiff generally objects to Defendant’s definitions and instructions to the extent they purport to require Plaintiff to respond in any way beyond what is required by the Federal and local rules.
2. Plaintiff objects to the Requests to the extent they seek information or materials that are protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure rules, or other applicable privileges and protections, including communications with Plaintiff’s attorneys regarding the Action.
3. Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or supplement these responses with subsequently discovered responsive information and to introduce and rely upon any such subsequently discovered information in this litigation.

AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS

REQUEST FOR ADMISSION NO. 8:

Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as training data for artificial intelligence.

AMENDED RESPONSE TO REQUEST NO. 8:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will

1 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
2 duplicative in whole or in part of RFAs 9-11 and 13-14. Subject to and without waiving the foregoing
3 objections, Plaintiff responds as follows: admit.

4 **REQUEST FOR ADMISSION NO. 9:**

5 Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been
6 licensed for use as training data for artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 9:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
14 duplicative in whole or in part of RFAs 8, 10-11 and 13-14. Plaintiff further objects to this Request as
15 irrelevant to any disputed issue in the case. Subject to and without waiving the foregoing objections,
16 see response to RFA 8. Plaintiff responds as follows: admit.

17 **REQUEST FOR ADMISSION NO. 10:**

18 Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as
19 training data for artificial intelligence.

20 **AMENDED RESPONSE TO REQUEST NO. 10:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
22 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
25 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
26 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
27

1 duplicative in whole or in part of RFAs 8-9, 11, and 13-14. Subject to and without waiving the
 2 foregoing objections, Plaintiff responds as follows: admit.

3 **REQUEST FOR ADMISSION NO. 11:**

4 Admit that YOU are unaware of consent ever having been given (either by YOU or somebody
 5 so authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for
 6 artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 11:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
 9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
 10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
 11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
 12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
 13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
 14 duplicative in whole or in part of RFAs 8-10 and 13-14. Subject to and without waiving the foregoing
 15 objections, Plaintiff responds as follows: admit.

16 **REQUEST FOR ADMISSION NO. 12:**

17 Admit that, other than YOUR contention that LLM developers such as Meta should have
 18 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models (see,
 19 e.g., [March 7, 2024 denial of RFA No. 1), YOU are unaware of any lost sales due to the infringement
 20 alleged in the COMPLAINT.

21 **AMENDED RESPONSE TO REQUEST NO. 12:**

22 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
 23 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
 24 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
 25 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
 26 objects to the term “lost sales” as vague and ambiguous. Plaintiff further objects to this Request
 27 because it is hypothetical and not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*,
 2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the

AMENDED RESPONSE TO REQUEST NO. 16:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff further objects to the term “book sales” as vague and ambiguous. Plaintiff also objects to this Request because it is hypothetical and is not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit “hypothetical” questions within requests for admission.”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at *3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to this Request as it prematurely seeks expert testimony. Subject to and without waiving the foregoing objections, Plaintiff responds that after a reasonable inquiry, the information known or that can be readily obtained by him is insufficient to enable him to admit or deny.

REQUEST FOR ADMISSION NO. 31:

Admit that YOU have never offered to license or sell any of YOUR ASSERTED WORKS for use in the training of an artificial intelligence large language model.

AMENDED RESPONSE TO REQUEST NO. 31:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff further objects to this Request as duplicative in whole or in part of RFAs 8-11. Subject to and without waiving the foregoing objections, Plaintiff responds as follows: admit.

1 Dated: September 6, 2024

By: /s/ Bryan L. Clobes
Bryan L. Clobes

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

Individual and Representative Plaintiffs,

v.

Meta Platforms, Inc.,

Defendant.

Lead Case No. 3:23-cv-03417-VC
Case No. 4:23-cv-06663

**PLAINTIFF RICHARD KADREY'S
AMENDED RESPONSES TO
DEFENDANT META PLATFORMS,
INC.'S SECOND SET OF REQUESTS FOR
ADMISSION**

PROPOUNDING PARTIES: Defendant Meta Platforms, Inc.
RESPONDING PARTIES: Plaintiff Richard Kadrey
SET NUMBER: Two (2)

Plaintiff Richard Kadrey (“Plaintiff”) hereby amends his responses to Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests” or “RFAs”).

GENERAL OBJECTIONS

1. Plaintiff generally objects to Defendant’s definitions and instructions to the extent they purport to require Plaintiff to respond in any way beyond what is required by the Federal and local rules.

2. Plaintiff objects to the Requests to the extent they seek information or materials that are protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure rules, or other applicable privileges and protections, including communications with Plaintiff’s attorneys regarding the Action.

Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or supplement these responses with subsequently discovered responsive information and to introduce and rely upon any such subsequently discovered information in this litigation.

AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS

REQUEST FOR ADMISSION NO. 8:

Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as training data for artificial intelligence.

AMENDED RESPONSE TO REQUEST NO. 8:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will

1 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
 2 duplicative in whole or in part of RFAs 9-11 and 13-14. Subject to and without waiving the foregoing
 3 objections, Plaintiff responds, admit.

4 **REQUEST FOR ADMISSION NO. 9:**

5 Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been
 6 licensed for use as training data for artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 9:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
 9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
 10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
 11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
 12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
 13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
 14 duplicative in whole or in part of RFAs 8, 10-11 and 13-14. Plaintiff further objects to this Request as
 15 irrelevant to any disputed issue in the case. Subject to and without waiving the foregoing objections, see
 16 response to RFA 8. Plaintiff responds, admit.

17 **REQUEST FOR ADMISSION NO. 10:**

18 Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as training
 19 data for artificial intelligence.

20 **AMENDED RESPONSE TO REQUEST NO. 10:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
 22 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
 23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
 24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
 25 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
 26 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
 27 duplicative in whole or in part of RFAs 8-9, 11, and 13-14. Subject to and without waiving the foregoing

1 objections, Plaintiff responds, admit.

2 **REQUEST FOR ADMISSION NO. 11:**

3 Admit that YOU are unaware of consent ever having been given (either by YOU or somebody so
4 authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for artificial
5 intelligence.

6 **AMENDED RESPONSE TO REQUEST NO. 11:**

7 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
8 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
9 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
10 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
11 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
12 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
13 duplicative in whole or in part of RFAs 8-10 and 13-14. Subject to and without waiving the foregoing
14 objections, Plaintiff responds, admit.

15 **REQUEST FOR ADMISSION NO. 12:**

16 Admit that, other than YOUR contention that LLM developers such as Meta should have
17 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models (see,
18 e.g., [March 7, 2024 denial of RFA No. 1), YOU are unaware of any lost sales due to the infringement
19 alleged in the COMPLAINT.

20 **AMENDED RESPONSE TO REQUEST NO. 12:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
22 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
25 objects to the term “lost sales” as rendering this Request vague and ambiguous. Plaintiff further objects
26 to this Request because it is hypothetical and not tied to the facts of the case. See, e.g., *Buchanan v. Chi.*
27 *Transit Auth.*, 2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be

1 to the alleged use of YOUR ASSERTED WORKS to train large language models.

2 **AMENDED RESPONSE TO REQUEST NO. 16:**

3 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
 4 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it
 5 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
 6 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
 7 further objects to the term “book sales” as rendering this request vague and ambiguous. Plaintiff also
 8 objects to this Request because it is hypothetical and is not tied to the facts of the case. See, e.g.,
 9 *Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to
 10 admit ‘must be connected to the facts of the case, courts do not permit “hypothetical” questions within
 11 requests for admission.’”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at *3 (D. Del. Nov. 17,
 12 1997) (denying request “asking Plaintiff to admit to infringement in the context of the hypothetical use
 13 of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further
 14 objects to this Request as it calls for expert testimony. Subject to and without waiving the foregoing
 15 objections, Plaintiff responds that after a reasonable inquiry, the information known or that can be
 16 readily obtained by him is insufficient to enable him to admit or deny.

17 **REQUEST FOR ADMISSION NO. 31:**

18 Admit that YOU have never offered to license or sell any of YOUR ASSERTED WORKS for
 19 use in the training of an artificial intelligence large language model.

20 **AMENDED RESPONSE TO REQUEST NO. 31:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
 22 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it
 23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
 24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
 25 further objects to this Request as duplicative in whole or in part of RFAs 8-11. Subject to and without
 26 waiving the foregoing objections, Plaintiff responds, admit.

1 Dated: August 28, 2024

By: /s/ Joseph R. Saveri
Joseph R. Saveri

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Plaintiffs and the Proposed Class*

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

Individual and Representative Plaintiffs,

v.

Meta Platforms, Inc.,

Defendant.

Lead Case No. 3:23-cv-03417-VC
Case No. 4:23-cv-06663

**PLAINTIFF MATTHEW KLAM'S
AMENDED RESPONSES TO DEFENDANT
META PLATFORMS, INC.'S SECOND SET
OF REQUESTS FOR ADMISSION**

PROPOUNDING PARTIES: Defendant Meta Platforms, Inc.
RESPONDING PARTIES: Plaintiff Matthew Klam
SET NUMBER: Two (2)

Plaintiff Matthew Klam (“Plaintiff”) hereby amends his responses to Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests” or “RFAs”).

GENERAL OBJECTIONS

1. Plaintiff generally objects to Defendant’s definitions and instructions to the extent they purport to require Plaintiff to respond in any way beyond what is required by the Federal and local rules.

2. Plaintiff objects to the Requests to the extent they seek information or materials that are protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure rules, or other applicable privileges and protections, including communications with Plaintiff’s attorneys regarding the Action.

3. Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or supplement these responses with subsequently discovered responsive information and to introduce and rely upon any such subsequently discovered information in this litigation.

AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS

REQUEST FOR ADMISSION NO. 8:

Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as training data for artificial intelligence.

AMENDED RESPONSE TO REQUEST NO. 8:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as

1 duplicative in whole or in part of RFAs 9-11 and 13-14. Subject to and without waiving the foregoing
2 objections, Plaintiff responds as follows: admit.

3 **REQUEST FOR ADMISSION NO. 9:**

4 Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been
5 licensed for use as training data for artificial intelligence.

6 **AMENDED RESPONSE TO REQUEST NO. 9:**

7 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
8 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
9 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
10 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
11 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
12 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
13 duplicative in whole or in part of RFAs 8, 10-11 and 13-14. Plaintiff further objects to this Request as
14 irrelevant to any disputed issue in the case. Subject to and without waiving the foregoing objections,
15 see response to RFA 8. Plaintiff responds as follows: admit.

16 **REQUEST FOR ADMISSION NO. 10:**

17 Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as
18 training data for artificial intelligence.

19 **AMENDED RESPONSE TO REQUEST NO. 10:**

20 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
21 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
22 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
23 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
24 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
25 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
26
27

1 duplicative in whole or in part of RFAs 8-9, 11, and 13-14. Subject to and without waiving the
 2 foregoing objections, Plaintiff responds as follows: admit.

3 **REQUEST FOR ADMISSION NO. 11:**

4 Admit that YOU are unaware of consent ever having been given (either by YOU or somebody
 5 so authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for
 6 artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 11:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
 9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
 10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
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 13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
 14 duplicative in whole or in part of RFAs 8-10 and 13-14. Subject to and without waiving the foregoing
 15 objections, Plaintiff responds as follows: admit.

16 **REQUEST FOR ADMISSION NO. 12:**

17 Admit that, other than YOUR contention that LLM developers such as Meta should have
 18 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models (see,
 19 e.g., [March 7, 2024 denial of RFA No. 1), YOU are unaware of any lost sales due to the infringement
 20 alleged in the COMPLAINT.

21 **AMENDED RESPONSE TO REQUEST NO. 12:**

22 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
 23 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
 24 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
 25 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
 26 objects to the term “lost sales” as vague and ambiguous. Plaintiff further objects to this Request
 27 because it is hypothetical and not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*,
 2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the

AMENDED RESPONSE TO REQUEST NO. 16:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff further objects to the term “book sales” as vague and ambiguous. Plaintiff also objects to this Request because it is hypothetical and is not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit “hypothetical” questions within requests for admission.”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at *3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to this Request as it prematurely seeks expert testimony. Subject to and without waiving the foregoing objections, Plaintiff responds that after a reasonable inquiry, the information known or that can be readily obtained by him is insufficient to enable him to admit or deny.

REQUEST FOR ADMISSION NO. 31:

Admit that YOU have never offered to license or sell any of YOUR ASSERTED WORKS for use in the training of an artificial intelligence large language model.

AMENDED RESPONSE TO REQUEST NO. 31:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff further objects to this Request as duplicative in whole or in part of RFAs 8-11. Subject to and without waiving the foregoing objections, Plaintiff responds as follows: admit.

1 Dated: September 6, 2024

By: /s/ Bryan L. Clobes
Bryan L. Clobes

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*Counsel for Individual and Representative
Plaintiffs and the Proposed Class*

[Additional counsel on signature page]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

Individual and Representative Plaintiffs,

v.

Meta Platforms, Inc.,

Defendant.

Lead Case No. 3:23-cv-03417-VC
Case No. 4:23-cv-06663

**PLAINTIFF LAURA LIPPMAN'S
AMENDED RESPONSES TO DEFENDANT
META PLATFORMS, INC.'S SECOND SET
OF REQUESTS FOR ADMISSION**

1 **PROPOUNDING PARTIES:** **Defendant Meta Platforms, Inc.**
 2 **RESPONDING PARTIES:** **Plaintiff Laura Lippman**
 3 **SET NUMBER:** **Two (2)**

4
 5 Plaintiff Laura Lippman (“Plaintiff”) hereby amends her responses to Defendant Meta
 6 Platforms, Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests” or
 7 “RFAs”).

8 **GENERAL OBJECTIONS**

9 1. Plaintiff generally objects to Defendant’s definitions and instructions to the extent they
 10 purport to require Plaintiff to respond in any way beyond what is required by the Federal and local
 11 rules.

12 2. Plaintiff objects to the Requests to the extent they seek information or materials that are
 13 protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure
 14 rules, or other applicable privileges and protections, including communications with Plaintiff’s
 15 attorneys regarding the Action.

16 3. Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or
 17 supplement these responses with subsequently discovered responsive information and to introduce and
 18 rely upon any such subsequently discovered information in this litigation.

19 **AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS**

20 **REQUEST FOR ADMISSION NO. 8:**

21 Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as training
 22 data for artificial intelligence.

23 **AMENDED RESPONSE TO REQUEST NO. 8:**

24 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
 25 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
 26 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
 27 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff
 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will

1 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
2 duplicative in whole or in part of RFAs 9-11 and 13-14. Subject to and without waiving the foregoing
3 objections, Plaintiff responds as follows: admit.

4 **REQUEST FOR ADMISSION NO. 9:**

5 Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been
6 licensed for use as training data for artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 9:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff
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14 duplicative in whole or in part of RFAs 8, 10-11 and 13-14. Plaintiff further objects to this Request as
15 irrelevant to any disputed issue in the case. Subject to and without waiving the foregoing objections,
16 see response to RFA 8. Plaintiff responds as follows: admit.

17 **REQUEST FOR ADMISSION NO. 10:**

18 Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as
19 training data for artificial intelligence.

20 **AMENDED RESPONSE TO REQUEST NO. 10:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
22 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff
25 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
26 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
27

1 duplicative in whole or in part of RFAs 8-9, 11, and 13-14. Subject to and without waiving the
 2 foregoing objections, Plaintiff responds as follows: admit.

3 **REQUEST FOR ADMISSION NO. 11:**

4 Admit that YOU are unaware of consent ever having been given (either by YOU or somebody
 5 so authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for
 6 artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 11:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
 9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
 10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
 11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff
 12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
 13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
 14 duplicative in whole or in part of RFAs 8-10 and 13-14. Subject to and without waiving the foregoing
 15 objections, Plaintiff responds as follows: admit.

16 **REQUEST FOR ADMISSION NO. 12:**

17 Admit that, other than YOUR contention that LLM developers such as Meta should have
 18 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models (see,
 19 e.g., [March 7, 2024 denial of RFA No. 1), YOU are unaware of any lost sales due to the infringement
 20 alleged in the COMPLAINT.

21 **AMENDED RESPONSE TO REQUEST NO. 12:**

22 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
 23 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
 24 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
 25 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff
 26 objects to the term “lost sales” as vague and ambiguous. Plaintiff further objects to this Request
 27 because it is hypothetical and not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*,
 2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the

AMENDED RESPONSE TO REQUEST NO. 16:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff further objects to the term “book sales” as vague and ambiguous. Plaintiff also objects to this Request because it is hypothetical and is not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit “hypothetical” questions within requests for admission.”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at *3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to this Request as it prematurely seeks expert testimony. Subject to and without waiving the foregoing objections, Plaintiff responds that after a reasonable inquiry, the information known or that can be readily obtained by her is insufficient to enable her to admit or deny.

REQUEST FOR ADMISSION NO. 31:

Admit that YOU have never offered to license or sell any of YOUR ASSERTED WORKS for use in the training of an artificial intelligence large language model.

AMENDED RESPONSE TO REQUEST NO. 31:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff further objects to this Request as duplicative in whole or in part of RFAs 8-11. Subject to and without waiving the foregoing objections, Plaintiff responds as follows: admit.

1 Dated: September 6, 2024

By: /s/ Bryan L. Clobes
Bryan L. Clobes

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27 *and the Proposed Class*

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*Counsel for Individual and Representative
Plaintiffs and the Proposed Class*

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

Individual and Representative Plaintiffs,

v.

Meta Platforms, Inc.,

Defendant.

Lead Case No. 3:23-cv-03417-VC
Case No. 4:23-cv-06663

**PLAINTIFF SARAH SILVERMAN'S
AMENDED RESPONSES TO
DEFENDANT META PLATFORMS,
INC.'S SECOND SET OF REQUESTS FOR
ADMISSION**

1 **PROPOUNDING PARTIES:** Defendant Meta Platforms, Inc.
2 **RESPONDING PARTIES:** Plaintiff Sarah Silverman
3 **SET NUMBER:** Two (2)
4

5 Plaintiff Sarah Silverman (“Plaintiff”) hereby amends her responses to Defendant Meta
6 Platforms, Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests”
7 or “RFAs”).

8 **GENERAL OBJECTIONS**

9 1. Plaintiff generally objects to Defendant’s definitions and instructions to the extent they
10 purport to require Plaintiff to respond in any way beyond what is required by the Federal and local rules.

11 2. Plaintiff objects to the Requests to the extent they seek information or materials that are
12 protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure
13 rules, or other applicable privileges and protections, including communications with Plaintiff’s
14 attorneys regarding the Action.

15 Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or
16 supplement these responses with subsequently discovered responsive information and to introduce and
17 rely upon any such subsequently discovered information in this litigation.

18 **AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS**

19 **REQUEST FOR ADMISSION NO. 8:**

20 Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as training
21 data for artificial intelligence.

22 **AMENDED RESPONSE TO REQUEST NO. 8:**

23 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
24 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
25 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
26 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff
27 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will

1 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
 2 duplicative in whole or in part of RFAs 9-11 and 13-14. Subject to and without waiving the foregoing
 3 objections, Plaintiff responds, admit.

4 **REQUEST FOR ADMISSION NO. 9:**

5 Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been
 6 licensed for use as training data for artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 9:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
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 15 irrelevant to any disputed issue in the case. Subject to and without waiving the foregoing objections, see
 16 response to RFA 8. Plaintiff responds, admit.

17 **REQUEST FOR ADMISSION NO. 10:**

18 Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as training
 19 data for artificial intelligence.

20 **AMENDED RESPONSE TO REQUEST NO. 10:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
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objections, Plaintiff responds, admit.

REQUEST FOR ADMISSION NO. 11:

Admit that YOU are unaware of consent ever having been given (either by YOU or somebody so authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for artificial intelligence.

AMENDED RESPONSE TO REQUEST NO. 11:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as duplicative in whole or in part of RFAs 8-10 and 13-14. Subject to and without waiving the foregoing objections, Plaintiff responds, admit.

REQUEST FOR ADMISSION NO. 12:

Admit that, other than YOUR contention that LLM developers such as Meta should have compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models (see, e.g., [March 7, 2024 denial of RFA No. 1), YOU are unaware of any lost sales due to the infringement alleged in the COMPLAINT.

AMENDED RESPONSE TO REQUEST NO. 12:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff objects to the term “lost sales” as rendering this Request vague and ambiguous. Plaintiff further objects to this Request because it is hypothetical and not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be

1 to the alleged use of YOUR ASSERTED WORKS to train large language models.

2 **AMENDED RESPONSE TO REQUEST NO. 16:**

3 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
4 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it
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6 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff
7 further objects to the term “book sales” as rendering this request vague and ambiguous. Plaintiff also
8 objects to this Request because it is hypothetical and is not tied to the facts of the case. See, e.g.,
9 *Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to
10 admit ‘must be connected to the facts of the case, courts do not permit “hypothetical” questions within
11 requests for admission.’”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at *3 (D. Del. Nov. 17,
12 1997) (denying request “asking Plaintiff to admit to infringement in the context of the hypothetical use
13 of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further
14 objects to this Request as it calls for expert testimony. Subject to and without waiving the foregoing
15 objections, Plaintiff responds that after a reasonable inquiry, the information known or that can be
16 readily obtained by her is insufficient to enable her to admit or deny.

17 **REQUEST FOR ADMISSION NO. 31:**

18 Admit that YOU have never offered to license or sell any of YOUR ASSERTED WORKS for
19 use in the training of an artificial intelligence large language model.

20 **AMENDED RESPONSE TO REQUEST NO. 31:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
22 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it
23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and his agents. Plaintiff
25 further objects to this Request as duplicative in whole or in part of RFAs 8-11. Subject to and without
26 waiving the foregoing objections, Plaintiff responds, admit.

1 Dated: August 28, 2024

By: /s/ Joseph R. Saveri
Joseph R. Saveri

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Plaintiffs and the Proposed Class*

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

Individual and Representative Plaintiffs,

v.

Meta Platforms, Inc.,

Defendant.

Lead Case No. 3:23-cv-03417-VC
Case No. 4:23-cv-06663

**PLAINTIFF RACHEL LOUISE SNYDER'S
AMENDED RESPONSES TO DEFENDANT
META PLATFORMS, INC.'S SECOND SET
OF REQUESTS FOR ADMISSION**

PROPOUNDING PARTIES: Defendant Meta Platforms, Inc.
RESPONDING PARTIES: Plaintiff Rachel Louise Snyder
SET NUMBER: Two (2)

Plaintiff Rachel Louise Snyder (“Plaintiff”) hereby amends her responses to Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests” or “RFAs”).

GENERAL OBJECTIONS

1. Plaintiff generally objects to Defendant’s definitions and instructions to the extent they purport to require Plaintiff to respond in any way beyond what is required by the Federal and local rules.
2. Plaintiff objects to the Requests to the extent they seek information or materials that are protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure rules, or other applicable privileges and protections, including communications with Plaintiff’s attorneys regarding the Action.
3. Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or supplement these responses with subsequently discovered responsive information and to introduce and rely upon any such subsequently discovered information in this litigation.

AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS

REQUEST FOR ADMISSION NO. 8:

Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as training data for artificial intelligence.

AMENDED RESPONSE TO REQUEST NO. 8:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will

1 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
2 duplicative in whole or in part of RFAs 9-11 and 13-14. Subject to and without waiving the foregoing
3 objections, Plaintiff responds as follows: admit.

4 **REQUEST FOR ADMISSION NO. 9:**

5 Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been
6 licensed for use as training data for artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 9:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff
12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
14 duplicative in whole or in part of RFAs 8, 10-11 and 13-14. Plaintiff further objects to this Request as
15 irrelevant to any disputed issue in the case. Subject to and without waiving the foregoing objections,
16 see response to RFA 8. Plaintiff responds as follows: admit.

17 **REQUEST FOR ADMISSION NO. 10:**

18 Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as
19 training data for artificial intelligence.

20 **AMENDED RESPONSE TO REQUEST NO. 10:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
22 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff
25 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
26 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
27

1 duplicative in whole or in part of RFAs 8-9, 11, and 13-14. Subject to and without waiving the
2 foregoing objections, Plaintiff responds as follows: admit.

3 **REQUEST FOR ADMISSION NO. 11:**

4 Admit that YOU are unaware of consent ever having been given (either by YOU or somebody
5 so authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for
6 artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 11:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff
12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
14 duplicative in whole or in part of RFAs 8-10 and 13-14. Subject to and without waiving the foregoing
15 objections, Plaintiff responds as follows: admit.

16 **REQUEST FOR ADMISSION NO. 12:**

17 Admit that, other than YOUR contention that LLM developers such as Meta should have
18 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models (see,
19 e.g., [March 7, 2024 denial of RFA No. 1), YOU are unaware of any lost sales due to the infringement
20 alleged in the COMPLAINT.

21 **AMENDED RESPONSE TO REQUEST NO. 12:**

22 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
23 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
24 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
25 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff
26 objects to the term “lost sales” as vague and ambiguous. Plaintiff further objects to this Request
27 because it is hypothetical and not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*,
2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the

AMENDED RESPONSE TO REQUEST NO. 16:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff further objects to the term “book sales” as vague and ambiguous. Plaintiff also objects to this Request because it is hypothetical and is not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit “hypothetical” questions within requests for admission.”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at *3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to this Request as it prematurely seeks expert testimony. Subject to and without waiving the foregoing objections, Plaintiff responds that after a reasonable inquiry, the information known or that can be readily obtained by her is insufficient to enable her to admit or deny.

REQUEST FOR ADMISSION NO. 31:

Admit that YOU have never offered to license or sell any of YOUR ASSERTED WORKS for use in the training of an artificial intelligence large language model.

AMENDED RESPONSE TO REQUEST NO. 31:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff further objects to this Request as duplicative in whole or in part of RFAs 8-11. Subject to and without waiving the foregoing objections, Plaintiff responds as follows: admit.

1 Dated: September 6, 2024

By: /s/ Bryan L. Clobes
Bryan L. Clobes

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

RICHARD KADREY, SARAH SILVERMAN,
CHRISTOPHER GOLDEN, TA-NEHISI
COATES, JUNOT DÍAZ, ANDREW SEAN
GREER, DAVID HENRY HWANG,
MATTHEW KLAM, LAURA LIPPMAN,
RACHEL LOUISE SNYDER, JACQUELINE
WOODSON, AND LYSA TERKEURST,

Individual and Representative Plaintiffs,

v.

META PLATFORMS, INC.;

Defendant.

Case No. 3:23-cv-03417-VC

**PLAINTIFF LYSA TERKEURST'S
RESPONSES AND OBJECTIONS TO
DEFENDANT META PLATFORMS,
INC.'S SECOND SET OF REQUESTS
FOR ADMISSION**

Plaintiff Lysa TerKeurst ("Plaintiff") hereby responds to Defendant Meta Platforms, Inc.'s ("Defendant" or "Meta") Second Set of Requests for Admissions (the "Requests" or "RFAs").

GENERAL OBJECTIONS

1. Plaintiff generally objects to Defendant's definitions and instructions to the extent they purport to require Plaintiff to respond in any way beyond what is required by the Federal and local rules.

2. Plaintiff objects to the Requests to the extent they seek information or materials that are protected from disclosure by attorney-client privilege, the work-product doctrine, expert

disclosure rules, or other applicable privileges and protections, including communications with Plaintiff's attorneys regarding the Action.

Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or supplement these responses with subsequently discovered responsive information and to introduce and rely upon any such subsequently discovered information in this litigation.

OBJECTIONS AND RESPONSES TO REQUESTS FOR ADMISSIONS

REQUEST FOR ADMISSION NO. 8:

Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as training data for artificial intelligence.

RESPONSE TO REQUEST NO. 8:

Plaintiff objects to the defined terms "You" and "Your" as vague and ambiguous, and so for the purposes of answering this Request, Plaintiff will construe the terms "You" and "Your" as referring to Plaintiff Lysa TerKeurst and her agent, Meredith Brock. Plaintiff objects to this Request as unintelligible and vague as to the term "artificial intelligence" and will construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request to the extent it is duplicative in whole or in part of RFAs 9-11 and 13-14. Subject to and without waiving the foregoing objections, Plaintiff admits that neither Meta nor any other entity gathering training data for generative artificial intelligence has requested to license any of Plaintiff's ASSERTED WORKS, and so further responding, admits Request No. 8.

REQUEST FOR ADMISSION NO. 9:

Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been licensed for use as training data for artificial intelligence.

RESPONSE TO REQUEST NO. 9:

Plaintiff objects to the defined terms "You" and "Your" as vague and ambiguous, and so for the purposes of answering this Request, Plaintiff will construe the terms "You" and "Your" as referring to Plaintiff Lysa TerKeurst and her agent, Meredith Brock. Plaintiff objects to this

Request as unintelligible and vague as to the term “artificial intelligence” and will construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request to the extent it is duplicative in whole or in part of RFAs 8, 10, 11, and 13-14. Subject to and without waiving the foregoing objections, Plaintiff admits that neither Meta nor any other entity gathering training data for generative artificial intelligence has requested to license any of Plaintiff’s ASSERTED WORKS, and so further responding, Plaintiff admits Request No. 9.

REQUEST FOR ADMISSION NO. 10:

Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as training data for artificial intelligence.

RESPONSE TO REQUEST NO. 10:

Plaintiff objects to the defined terms “You” and “Your” as vague and ambiguous, and so for the purposes of answering this Request, Plaintiff will construe the terms “You” and “Your” as referring to Plaintiff Lysa TerKeurst and her agent, Meredith Brock. Plaintiff objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request to the extent it is duplicative in whole or in part of RFAs 8, 9, 11, 13 and 14. Subject to and without waiving the foregoing objections, Plaintiff admits that neither Meta nor any other entity gathering training data for generative artificial intelligence has sought Plaintiff’s permission to use any of Plaintiff’s ASSERTED WORKS as training data for generative artificial intelligence, and so further responding, Plaintiff admits Request No. 10.

REQUEST FOR ADMISSION NO. 11:

Admit that YOU are unaware of consent ever having been given (either by YOU or somebody so authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for artificial intelligence.

1 Admit that YOU are not the only person who contributed literary content in each of
2 YOUR ASSERTED WORKS.

3 **RESPONSE TO REQUEST NO. 30:**

4 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and
5 calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as
6 defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff
7 will construe the terms “You” and “Your” as referring to Plaintiff Lysa TerKeurst. Plaintiff
8 further objects to the phrase “contributed literary content” as vague and unintelligible. Subject to
9 and without waiving these objections, Plaintiff admits Request No. 30 to the extent that she had
10 assistance in editing manuscripts that became her ASSERTED WORKS. Plaintiff otherwise
11 denies Request No. 30.

12 **REQUEST FOR ADMISSION NO. 31:**

13 Admit that YOU have never offered to license or sell any of YOUR ASSERTED
14 WORKS for use in the training of an artificial intelligence large language model.

15 **RESPONSE TO REQUEST NO. 31:**

16 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and
17 calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as
18 defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff
19 will construe the terms “You” and “Your” as referring to Plaintiff Lysa TerKeurst and her agent,
20 Meredith Brock. Plaintiff further objects to this Request as unintelligible and vague as to the
21 term “artificial intelligence” and will construe that term to mean generative artificial intelligence.
22 Plaintiff further objects to this Request as duplicative in whole or in part of RFAs 8-11. Subject
23 to and without waiving the foregoing objections, Plaintiff admits that neither Meta nor any other
24 entity gathering training data for generative artificial intelligence has asked to license or
25 purchase any of Plaintiff’s ASSERTED WORKS, and so, further responding, Plaintiff admits
26 Request No. 31.

1
2 Dated: August 21, 2024

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Plaintiffs and the Proposed Class*

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

Individual and Representative Plaintiffs,

v.

Meta Platforms, Inc.,

Defendant.

Lead Case No. 3:23-cv-03417-VC
Case No. 4:23-cv-06663

**PLAINTIFF JACQUELINE WOODSON'S
AMENDED RESPONSES TO DEFENDANT
META PLATFORMS, INC.'S SECOND SET
OF REQUESTS FOR ADMISSION**

PROPOUNDING PARTIES: Defendant Meta Platforms, Inc.

RESPONDING PARTIES: Plaintiff Jacqueline Woodson

SET NUMBER: Two (2)

Plaintiff Jacqueline Woodson (“Plaintiff”) hereby amends her responses to Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests” or “RFAs”).

GENERAL OBJECTIONS

1. Plaintiff generally objects to Defendant’s definitions and instructions to the extent they purport to require Plaintiff to respond in any way beyond what is required by the Federal and local rules.
2. Plaintiff objects to the Requests to the extent they seek information or materials that are protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure rules, or other applicable privileges and protections, including communications with Plaintiff’s attorneys regarding the Action.
3. Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or supplement these responses with subsequently discovered responsive information and to introduce and rely upon any such subsequently discovered information in this litigation.

AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS

REQUEST FOR ADMISSION NO. 8:

Admit that YOU have never licensed any of YOUR ASSERTED WORKS for use as training data for artificial intelligence.

AMENDED RESPONSE TO REQUEST NO. 8:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will

1 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
2 duplicative in whole or in part of RFAs 9-11 and 13-14. Subject to and without waiving the foregoing
3 objections, Plaintiff responds as follows: admit.

4 **REQUEST FOR ADMISSION NO. 9:**

5 Admit that YOU are unaware of any of YOUR ASSERTED WORKS ever having been
6 licensed for use as training data for artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 9:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff
12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
14 duplicative in whole or in part of RFAs 8, 10-11 and 13-14. Plaintiff further objects to this Request as
15 irrelevant to any disputed issue in the case. Subject to and without waiving the foregoing objections,
16 see response to RFA 8. Plaintiff responds as follows: admit.

17 **REQUEST FOR ADMISSION NO. 10:**

18 Admit that YOU have never consented to use of any of YOUR ASSERTED WORKS as
19 training data for artificial intelligence.

20 **AMENDED RESPONSE TO REQUEST NO. 10:**

21 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
22 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
23 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
24 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff
25 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
26 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
27

1 duplicative in whole or in part of RFAs 8-9, 11, and 13-14. Subject to and without waiving the
2 foregoing objections, Plaintiff responds as follows: admit.

3 **REQUEST FOR ADMISSION NO. 11:**

4 Admit that YOU are unaware of consent ever having been given (either by YOU or somebody
5 so authorized on YOUR behalf) to use of any of YOUR ASSERTED WORKS as training data for
6 artificial intelligence.

7 **AMENDED RESPONSE TO REQUEST NO. 11:**

8 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
9 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
10 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
11 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff
12 objects to this Request as unintelligible and vague as to the term “artificial intelligence” and will
13 construe that term to mean generative artificial intelligence. Plaintiff further objects to this Request as
14 duplicative in whole or in part of RFAs 8-10 and 13-14. Subject to and without waiving the foregoing
15 objections, Plaintiff responds as follows: admit.

16 **REQUEST FOR ADMISSION NO. 12:**

17 Admit that, other than YOUR contention that LLM developers such as Meta should have
18 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models (see,
19 e.g., [March 7, 2024 denial of RFA No. 1), YOU are unaware of any lost sales due to the infringement
20 alleged in the COMPLAINT.

21 **AMENDED RESPONSE TO REQUEST NO. 12:**

22 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for
23 discovery that is irrelevant and /or disproportional to the needs of the case because, as defined, it
24 includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties,
25 Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff
26 objects to the term “lost sales” as vague and ambiguous. Plaintiff further objects to this Request
27 because it is hypothetical and not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*,
2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the

AMENDED RESPONSE TO REQUEST NO. 16:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff further objects to the term “book sales” as vague and ambiguous. Plaintiff also objects to this Request because it is hypothetical and is not tied to the facts of the case. See, e.g., *Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit “hypothetical” questions within requests for admission.”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at *3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment. Plaintiff further objects to this Request as it prematurely seeks expert testimony. Subject to and without waiving the foregoing objections, Plaintiff responds that after a reasonable inquiry, the information known or that can be readily obtained by her is insufficient to enable her to admit or deny.

REQUEST FOR ADMISSION NO. 31:

Admit that YOU have never offered to license or sell any of YOUR ASSERTED WORKS for use in the training of an artificial intelligence large language model.

AMENDED RESPONSE TO REQUEST NO. 31:

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. As narrowed by the parties, Plaintiff will construe “You” and “Your” to include Plaintiff individually, and her agents. Plaintiff further objects to this Request as duplicative in whole or in part of RFAs 8-11. Subject to and without waiving the foregoing objections, Plaintiff responds as follows: admit.

1 Dated: September 6, 2024

By: /s/ Bryan L. Clobes
Bryan L. Clobes

2
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